



City of Austin

Founded by Congress, Republic of Texas, 1839

Capital Contracting Office, PO Box 1088, Austin, Texas 78767 Telephone 512/974-7181

October 28, 2021

To: Consultants Requesting RFQ Package

SUBJECT: Request for Statements of Qualifications (RFQ) for providing Professional Engineering Services for the Project Connect – Water/Wastewater Utility Support Program
Solicitation Number: CLMP324 - **ADDENDUM No. 2**

This Addendum No. #2 modifies the RFQ issued on October 11, 2021 for the above subject project.

Addendum No. #2

1. REFERENCE – REQUEST FOR QUALIFICATIONS COVERSHEET

☐ DELETE THE FOLLOWING:

**RESPONSES DUE: MONDAY, NOVEMBER 8, 2021
PRIOR TO: 2:00 P.M. CDT**

☐ REPLACE WITH THE FOLLOWING:

**RESPONSES DUE: TUESDAY, NOVEMBER 16, 2021
PRIOR TO: 2:00 P.M. CDT**

2. REFERENCE – REQUEST FOR QUALIFICATIONS: Page [1 of 3]

☐ DELETE THE FOLLOWING:

ALL SUBMITTALS ARE DUE ON: November 8, 2021

IN PERSON SUBMITTALS WILL BE RECEIVED AT 505 BARTON SPRINGS ROAD, CONFERENCE ROOM 365 (3RD FLOOR) BETWEEN 10:00AM AND 2:00PM CDT ATTENTION: MEGAN BOWLES. SUBMITTALS MUST BE AT ROOM 365, PRIOR TO 2:00PM CDT. IF FIRMS CHOOSE TO USE A COURIER SERVICE, SAME REQUIREMENTS APPLY.

☐ REPLACE WITH THE FOLLOWING:

ALL SUBMITTALS ARE DUE ON: November 16, 2021

IN PERSON SUBMITTALS WILL BE RECEIVED AT 505 BARTON SPRINGS ROAD, CONFERENCE ROOM 365 (3RD FLOOR) BETWEEN 10:00AM AND 2:00PM CDT ATTENTION: MEGAN BOWLES. SUBMITTALS MUST BE AT ROOM 365, PRIOR TO 2:00PM CDT. IF FIRMS CHOOSE TO USE A COURIER SERVICE, SAME REQUIREMENTS APPLY.

3. **REFERENCE – SCOPE OF SERVICES – CONFLICT OF INTEREST:** Page [8 of 9]

Conflicts of interest (COI) are fact dependent. Currently and without the full particular facts of a firm's participation in Project Connect, the City of Austin is unable to make a determination regarding any firm's participation in Project Connect.

The City of Austin makes every attempt to provide relative information to the public so that all respondents to solicitations have the same information, thus not creating a conflict for any respondent. It is unknown if conflicts may arise in the future because the scopes on future RFQs and on other agency RFQs are unknown at this time, and the timing of on-going contracts may not allow the City to provide the information to the public. The City of Austin cannot speak to other agencies' requirements relating to conflicts.

A conflict may exist when a firm is unable, or potentially unable, to provide impartial and objective assistance or advice to the City due to other activities, relationships, contracts, or circumstances.

Individual respondents must determine whether a conflict of interest may exist, and if so, must disclose that potential conflict of interest on Form 1. Pursuant to the instruction provided in Form 1, respondents must "[d]escribe the quantity and nature of any work, interest in work, partnership interest, land ownership or other interest in any project, property or business dealing within the proposed project area or past or current business relationship which may give rise to a potential conflict of interest for your firm or associated firms in the execution of this project."

City of Austin's Form 2 references three areas what constitutes a conflict of interest:

- **Present Knowledge.** Respondent is not presently aware of any potential or actual conflicts of interest regarding this solicitation, which either enabled Respondent to obtain an advantage over other respondents or would prevent Respondent from advancing the best interests of OWNER in the course of the performance of the Contract.
- **City Code.** As provided in Sections 2-7-61 through 2-7-65 of the City Code, no individual with a substantial interest in Respondent is a City official or employee or is related to any City official or employee within the first or second degree of consanguinity or affinity.
- **Chapter 176 Conflict of Interest Disclosure.** In accordance with Chapter 176 of the Texas Local Government Code, the Respondent:
 - does not have an employment or other business relationship with any local government officer of OWNER or a family member of that officer that results in the officer or family member receiving taxable income;
 - has not given a local government officer of OWNER one or more gifts, other than gifts of food lodging transportation or entertainment accepted as a guest, that have an aggregate value of more than \$100 in the twelve-month period preceding the date the officer becomes aware of the execution of the Contract or that OWNER is considering doing business with the Respondent; and
 - does not have a family relationship with a local government officer of OWNER in the third degree of consanguinity or the second degree of affinity.

As required by Chapter 176, Respondent must file the Conflicts of Interest Questionnaire with the Purchasing Department no later than the seventh business day after the

commencement of contract discussions or negotiations with the City or the submission of a Bid, response to a request for proposals, or other writing related to a potential contract with OWNER. The questionnaire must be updated not later than the seventh day after the date of an event that would make a statement in the questionnaire inaccurate or incomplete. There are statutory penalties for failure to comply with Chapter 176.

4. **REFERENCE – SCOPE OF SERVICES – BACKGROUND:** Page [3 of 9]:

☐ DELETE THE FOLLOWING:

1. 30% design drawings and presentation dated July 2021 by Huitt-Zollars for the proposed McKalla Station, which includes improvements of the existing Red Line commuter rail between just south of Rundberg Lane and just north of Braker Lane. Some water and wastewater conflicts have been identified; drawings have been requested from the design team.

☐ ADD THE FOLLOWING:

1. Attachment C: 30% design drawings and presentation dated July 2021 by Huitt-Zollars for the proposed McKalla Station, which includes improvements of the existing Red Line commuter rail between just south of Rundberg Lane and just north of Braker Lane. Some water and wastewater conflicts have been identified; drawings have been requested from the design team.

All other information in the Solicitation remains unchanged. Please remember this solicitation is currently in a “No Contact” period and all inquiries should be directed to the appropriate contact persons listed in the solicitation. If you have questions regarding this process and project related questions, you may contact Megan Bowles at (512) 974- 1404 or megan.bowles@austintexas.gov.

Sincerely,

Megan Bowles

Megan Bowles, Procurement Specialist IV
Professional Services Division
Capital Contracting Office

cc: Kevin Koeller, Project Manager
Grant Wilson, Contract Procurement Supervisor
John Wesley-Smith, SMBR Bus Development Counselor II